

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: WAVE 8 CASES LISTED IN EXHIBIT A	

**DEFENDANTS' NOTICE OF PARTIAL WITHDRAWAL OF PENDING MOTION TO
PRECLUDE EVIDENCE OR ARGUMENT RELATING TO PATHOLOGY AND
DEGRADATION CLAIMS BASED ON THE FAILURE TO COMPLY WITH
PTO #121 AND PTO #190 BY CERTAIN PLAINTIFFS**

Given that Plaintiffs' counsel for certain plaintiffs have now cured the deficiencies set forth in Ethicon's Motion dated May 11, 2018, Defendants hereby give notice of the partial withdrawal of their Motion to Preclude Evidence or Argument Relating to Pathology and Degradation Claims Based on the Failure to Comply with PTO #121 and PTO #190 by Certain Plaintiffs (Dkt. 5741).

Defendants hereby withdraw their motion as to the Plaintiffs listed in Exhibit A.

Respectfully submitted,

/s/ Susan M. Robinson
Susan M. Robinson (W.Va. Bar #5169)
THOMAS COMBS & SPANN, PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 25338
(304) 414-1800
srobinson@tcspllc.com

/s/ William M. Gage

William M. Gage (MS Bar #8691)

Butler Snow LLP

1020 Highland Colony Parkway

Suite 1400 (39157)

P.O. Box 6010

Ridgeland, MS 39158-6010

(601) 985-4561

william.gage@butlersnow.com

Counsel for Defendants

Ethicon, Inc. and Johnson & Johnson

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: WAVE 8 CASES LISTED IN EXHIBIT A	

CERTIFICATE OF SERVICE

I certify that on May 25, 2018, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage (MS Bar #8691)
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4561
william.gage@butlersnow.com